United Nations S/2004/276

Security Council

Distr.: General
1 April 2004

Original: English

Letter dated 1 April 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I attach the text of the declaration adopted in Vienna by international, regional and subregional organizations on 12 March 2004 at the follow-up meeting to the United Nations Counter-Terrorism Committee special meeting of 6 March 2003 (see annex). I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

04-29925 (E) 060404

Annex

Follow-up Meeting to the United Nations Counter-Terrorism Committee (CTC) Special Meeting of 6 March 2003 hosted by the Organization for Security and Co-operation in Europe (OSCE) in cooperation with the United Nations Office on Drugs and Crime (UNODC)

March 11-12 (2004)
Vienna, Austria

Vienna Declaration

The participating representatives of the international, regional and sub-regional organizations, bodies of the United Nations system, and international institutions in the follow-up Meeting to the United Nations Counter-Terrorism Committee (CTC) Special Meeting of 6 March 2003, whose names are listed in the appendix;

Expressing appreciation to the United Nations Office on Drugs and Crime (UNODC) and the Organization for Security and Cooperation in Europe (OSCE) for hosting this meeting; the Inter-American Committee against Terrorism of the Organization of American States for hosting the meeting with regional organizations on 7 October 2003; and commending these organizations for their support of the work of the UN Counter-Terrorism Committee;

Noting with appreciation the many anti-terrorism action plans adopted by the various international, regional and sub-regional organizations, international institutions and bodies of the UN system in the global effort to combat international terrorism;

Acknowledging the vital and central role of the Counter-Terrorism Committee (CTC), established under Chapter VII of the United Nations Charter pursuant to Security Council Resolution 1373 (2001), in the global effort to combat terrorism;

Bearing in mind the obligations of all Member States of the United Nations to implement fully Resolution 1373 (2001);

Recognizing the difficulties that some Member States of the United Nations, as well as some members of participating international, regional and sub-regional organizations may face to implement fully Resolution 1373 (2001);

Noting that a large number of Member States of the United Nations require assistance in implementing fully all the provisions of Resolution 1373 (2001), and in this regard acknowledging the mandate of the CTC, to explore ways in which States can be assisted, and in particular to explore with

international, regional, and sub-regional organizations: the promotion of best-practice in the areas covered by Resolution 1373 (2001) including the preparation of model laws as appropriate; the availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of Resolution 1373 (2001); and the promotion of possible synergies between these assistance programmes;

Noting further the role of the CTC, pursuant to the declaration annexed to Security Council Resolution 1456 (2003) to step up its efforts to facilitate the provision of technical and other assistance by developing targets and priorities for global action against terrorism;

Underlining the importance of technical assistance and capacity building, particularly in the fields identified by the CTC as priority areas for States;

Emphasizing that States must ensure that any measure taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law;

Concerned with the potential duplication of technical assistance provided to States in the same areas for the effective implementation of Resolution 1373, while other priority areas may remain unaddressed;

Acknowledging that international, regional and sub-regional organizations should continue to evaluate ways in which they can enhance the effectiveness of their counter-terrorism related programs, including by establishing dialogue and exchanges of information with each other and with other relevant international actors, in particular with the CTC;

Acknowledging further the role of those organizations whose activities relate to the control or use of, or access to nuclear, chemical, biological and other deadly materials; and in this context the importance of fully complying with existing legal obligations in the fields of disarmament, arms limitation and non-proliferation and, where necessary, strengthening international instruments;

Reaffirming that regional and subregional organizations should continue to increase their cooperation with the CTC and other international organizations to facilitate sharing of best practice to enhance the collective effort against terrorism, and to assist their Member States in fulfilling their obligations to combat terrorism in accordance with the relevant Security Council Resolutions;

Stressing the importance of a sustained, comprehensive approach involving the active participation, cooperation and collaboration of all relevant international, regional, and sub-regional organizations, and UN bodies as a mean to enhance the effective implementation of all the provisions of Security Council Resolution 1373 (2001);

Determined to make further progress on the matters referred to in this Declaration in order to give effect to the commitments made during the CTC Special Meeting on 6 March 2003 and the follow-up meeting of 7 October 2003;

Agree as follows:

1. To seek ways in which to enhance the effectiveness of our efforts against terrorism within our respective mandates and competences and to coordinate and exchange information with the CTC, with one another, as well as with other relevant international actors in an effort to meet the capacity-building needs of our members in order to assist them to implement fully their obligations under Resolution 1373 (2001);

2. To provide the CTC, where appropriate under existing arrangements, with relevant information for inclusion in the Matrix of Joint Activities, which provides a comprehensive compilation of the assistance offers and programs, thereby facilitating the sharing of such information with other assistance providers in order to avoid duplication and overlap in the provision of technical assistance;

3. To prevent duplication and to further improve our cooperation and coordination, including, where appropriate, by conducting joint technical assistance programs or joints visits to States with the consent of the States concerned;

4. To commend those organizations, institutions and UN bodies that have kept the CTC informed on their available and implemented technical assistance programs, and to urge those that have not yet done so to provide such information to the CTC on a regular basis;

5. To join our efforts in focusing relevant anti-terrorism action plans to the targets and priorities of Resolution 1373 identified by the CTC;

6. To intensify efforts to encourage States to become parties to and implement in domestic law the 12 anti-terrorism international conventions and protocols and to assist States in this regard;

7. To continue our efforts to strengthen cooperation and coordination to implement fully Resolution 1373 (2001); to follow-up on this Declaration through a future meeting of our organizations within six months; and to that end take note of the offer of the League of Arab States to host our next meeting.

Austria, Vienna
12 March 2004

Appendix

List of participants

Organizations

Asian-African Legal Consultative Organization

Bank for International Settlements (Basel Committee on Banking Supervision)

Central Asian Cooperation Organization

Collective Security Treaty Organization

Commonwealth Secretariat

Commonwealth of Independent States/Anti-Terrorist Centre

Council of Baltic Sea States

Council of Europe

European Union

Financial Action Task Force

G8 Counter-Terrorism Action Group

GUUAM

International Association of Insurance Supervisors

International Atomic Energy Agency

International Civil Aviation Organization

International Monetary Fund

International Organization for Migration

Interpol

League of Arab States

North Atlantic Treaty Organization

Offshore Group of Banking Supervisors

Black Sea Economic Cooperation

Organization for Security and Cooperation in Europe

Organization for the Prohibition of Chemical Weapons

Organization of American States

Organization of the Islamic Conference

Shanghai Cooperation Organization

South Asian Association for Regional Cooperation

South-East European Cooperation Process

Southeast European Cooperation Initiative

Stability Pact for South Eastern Europe

United Nations

- Counter-Terrorism Committee
- Department of Political Affairs
- Department of Public Information
- Office of the United Nations High Commissioner for Human Rights
- Office of the United Nations High Commissioner for Refugees
- United Nations Interregional Crime and Justice Research Institute
- United Nations Office on Drugs and Crime

World Customs Organization

United Nations A/58/755–S/2004/277

General Assembly
Security Council

Distr.: General
2 April 2004

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General Assembly
Fifty-eighth session
Agenda items 28 and 40 (f)

The situation in Afghanistan and its implications for international peace and security

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

Security Council
Fifty-ninth year

Letter dated 16 December 2003 from the Permanent Representative of Liechtenstein to the United Nations addressed to the Secretary-General

I have the honour to transmit the report of an international meeting of experts on the theme of "Building security and state in Afghanistan — a critical assessment", held at the Woodrow Wilson School, Princeton University, from 17 to 19 October 2003, organized by the Liechtenstein Institute for Self-Determination (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda items 28 and 40 (f), and of the Security Council.

(*Signed*) Christian **Wenaweser**
Ambassador
Permanent Representative

04-29802 (E) 070404

Annex to the letter dated 16 December 2003 from the Permanent Representative of Liechtenstein to the United Nations addressed to the Secretary-General

Special seminar of the Liechtenstein Institute on Self-Determination at Princeton University

Building security and state in Afghanistan — a critical assessment

Woodrow Wilson School, Princeton University, 17-19 October 2003

Chair's summary

Introduction

A conference on "Building Security and the State in Afghanistan – A Critical Assessment" was held at the Woodrow Wilson School, Princeton University, on October 17- 19, 2003. At this conference, leading experts on Afghanistan and Afghan government officials presented their assessment of the current status of state-building and pressing security concerns in Afghanistan and the region (makes more sense to me like this). The meeting strictly followed Chatham House rules and statements in this summary are therefore not attributable to individual conference participants.

Summary

Participants agreed that in Afghanistan the needs for establishing security and building of state and society are urgent, closely interconnected, and that solutions have to be holistic. Underscoring the intertwined nature of security- and state-building, participants urged delivery of immediate and effective international financial assistance to both security and state-building endeavors. In particular, participants called on the international community to deliver the promised assistance and to devote greater resources now to building Afghanistan's policing and military capacity in order to be able to meet the needs for fair and free elections in June 2004, such as voter registration and civil education campaigns. Also, the seminar insisted that Afghanistan is a sovereign state, and the international community can only offer its assistance to Afghanistan becoming a fully viable member of the international community. It was underlined that in the end policy implementation has to be "by Afghans, for Afghans, and for Afghanistan."

The following summary outlines the major concerns of conference participants.

SECURITY

General Security

Summary: Although much has been done to improve the security and stability of Afghanistan, Afghans continue to stress security as their chief concern. Participants agreed that warlords/ regional commanders are now potentially a greater threat due to the diffusion of non-democratic power. Participants highlighted that while greater Provincial Reconstruction Team (PRT) activity is needed and welcomed, PRTs possess limited ability to provide security in the short term.

- *Different types of PRTs for different needs*: One size does not fit all in PRT planning, as different regions of Afghanistan present distinct needs, as seen in the German concept of PRTs. Some also pointed out that the

concept behind PRTs goes beyond the mere presence of soldiers providing security and also entails assistance to building civil society and government institutions.

- *Coordination mechanism needed among different security structures*: Several participants stressed that some coordination mechanism should be established to increase cooperation among the different security mechanisms (an expanded ISAF, DDR, and PRTs) and respective Afghan institutions. The Afghan National Security Council (NSC), which the G8 strategy recognizes as the focal point for all security sector reform activities, should provide such a mechanism.

- *Continued training of civil servants needed*: Some participants stressed that training of diplomatic personnel and civil servants must continue since it is essential to building capacity, security, and cooperation.

- *De-warlordizing regional commanders*: Some participants suggested that security forces should focus on "dewarlordizing" the warlords/regional commanders. In this process, the security forces should differentiate between warlords and power-holders with a legitimate popular power-base, and support the latter against the former.

- *Increased security concerns in southeastern Afghanistan*: Participants discussed the security situation in the southeastern areas of Afghanistan and the increased dangers faced by NGOs working in this region at length. While NGOs recognize that they are working in an insecure environment, the Afghan government and international community recognize that the work the NGOs do in these areas and the programs they deliver are essential to provide some measure of social welfare and a positive presence of the central government and international community, thereby providing hope for livelihood alternatives that do not include working with the Taliban. However, several participants stressed that security in this region is likely to further deteriorate before it can be more effectively tackled by Afghan and international forces.

Disarmament, Demobilization, and Reintegration

Summary:

- *Reform of security institutions needed for successful DDR*: It is important to recognize the link between a successful DDR process and establishing and reforming the security institutions.

- *Reintegration most important part of DDR*: Great recognition is needed of the fact that the reintegration part of DDR is the most important, because successful disarmament and demobilization cannot be achieved in its absence. The DDR focus should therefore be on reintegration programs.

- *Reintegration should also consider providing options for regional commanders*: When not fighting, many regional commanders find their troops a burden rather than an asset. If mechanisms could be found to integrate regional commanders into the economy, then they could better provide jobs for their supporters.

- *DDR also needed for Kabul*: The DDR process also needs to focus on Kabul. The Bonn Agreements called for disarming militia groups in Kabul right away – yet this has still not taken place, with many militia groups still present in the capital, including militia groups loyal to prominent members of the current government.

Drug Production and Trafficking

Summary: Efforts to control drug trafficking need to be prioritized, as poppy production has the potential to impede the establishment of political stability in Afghanistan. Solutions to this problem lie in building a stronger

Afghan state and economy, addressing the international demand side, and creating a regional mechanism/apparatus to create oversight.

- *Need to create economic alternatives to poppy cultivation*: Afghanistan's opium production is a function of a poor economy in addition to demand dynamics. Creating viable economic alternatives to poppy production is an important component of eliminating drug production.

- *Establish a regional anti-narcotics coordination office*: Some participants suggested that a regional coordination office for anti-narcotic programs should be established. Current programming lacks funds to effectively combat large-scale drug trafficking.

- *Raise awareness of consequences of drug use within Afghanistan*: It is important to publicize the effect of increasing drug use on Afghans and use this understanding to build a public movement against drugs within the country.

- *Multilateral effort needed to tackle narco-mafia*: A number of participants remarked that a concerted multilateral effort is required to tackle the growing, mutually reinforcing relationship between the "narco-mafia" and existing terrorist networks. This cannot be solved by a single country - a sustained effort involving key governments is desirable.

Border Controls

Summary: Participants agreed that a mechanism to coordinate regional border control efforts among Afghanistan and its neighbors is needed. The Islamic Republic of Iran recently developed 25 border centers with well-paid counter-narcotic police to control the drug trade, which might serve as an example.

- *Increased efforts needed to resolve Afghanistan-Pakistan border issues*: While several participants pointed out that signs of increasing cooperation with Pakistan on border security are emerging, in particular through the Tripartite Commission, some felt that more needs to be done. The main concerns focus on Al-Qaida and Taliban operatives crossing the highly porous border.

Civil Service and Police Reform

Summary: It was agreed that the civil service salary structure must be reformed. A liveable salary must be paid in a timely fashion to the police and civilian administrators. Avoiding corruption, the delivery of basic services, and security hinge on appropriate incentives provided for competent administration. General reform of civil service, which has started, should be strengthened and supported by the international community. A competent civil service is fundamental to a stable and independent Afghanistan.

- *Establish a public administration academy*: Some participants suggested establishing a public administration academy to provide basic training to civil servants of all levels, particularly for fiscal administration capacity with incentives and merit-based exams.

- *Provide basic services in all districts*: The administration must provide, and be seen to provide, basic services in the districts. Basic infrastructure must be provided quickly with communications and technological support in order for the government to be able to communicate to the local levels effectively.

- *Improve revenue collection efforts*: In order to guarantee liveable and regular salaries, a consistent revenue base must be established. There is revenue available, especially in border trade, and this revenue should be secured.

- *Increase police training centers*: Police training centers in PRTs are an important development and need to be expedited. Germany is willing to provide the necessary funds immediately for provincial training centers to start. In general, more funds are needed now to accelerate training of police and civil servants. The more police officials are trained now, the quicker the Afghans can take control of policing and managing governance and administration of their country.

STATE-BUILDING

Framework of Government and Drafting the Constitution

Summary: Ethnic participation in the future framework, guaranteed by the constitution, must be diverse. A new image of Afghan politics must be fostered to emerge with significant Pashtun and non- Pashtun involvement. Some participants suggested that a proportional representation system is the best way to achieve this goal.

- *Dangers of a strong presidential system*: Several participants suggested that Afghanistan needs consociational democracy: a system with a set of institutional devices designed to ensure the sharing of power among different social groups (such as proportionality, grand coalition, mutual veto), as well as deliberative and participatory politics. They argued that a centralized presidential system does not take historical realities into account and is a recipe for long-term instability.

- *Some tensions between increasing stability and democracy*: Stability and democracy sometimes work against each other. There needs to be a clearer policy in Afghanistan and by donors that reflects the challenges that Afghans face in doing both. This tension must be reflected and provided for in the Constitution.

- *Expedite ministerial consolidation*: The planned ministerial consolidation should be expedited. There are several ministries that are performing the same functions and are operating without a clear mandate or work program. The creation of a Ministry of Economy is essential and needed immediately.

- *Develop post-Bonn agenda*: Some participants suggested that a new framework for international cooperation and government structure is needed, perhaps through another Bonn-type process. The participants recommended that the new framework have a formal process to ensure transparency, provide better information to the people, and promote consultation with the public. An international conference should be organized to develop a post-Bonn agenda for the next five years. Such planning should ensure that ISAF expansion is harmonized with the political agenda outlined in Bonn. Immediate establishment of an achievable calendar for coordinating security benchmarks with the reconstruction efforts (Bonn with Tokyo) is encouraged.

Election Process and Timetable

Summary: Concerns regarding the ramifications of postponement of any elections, need to be worked out with the Afghan government and international partners. In doing so, the risks of failure to meet election expectations and the political benchmarks set out in Bonn need to be weighed against factors of security, political developments that may prohibit a free and fair process, and the ramifications of an election that is unfair and/or does not yield the desired outcomes.

- *Ensuring that benchmarks for free and fair June 2004 elections are met*: Several participants expressed concern that the benchmarks set out in the SG report of July 2003, which need to be fulfilled so the free and fair elections can be held are in danger of not being met.

- *June elections might reinforce current power constellations*: Some participants expressed concern that the June 2004 timeline does not allow enough time to ensure diversity among political players and participation of marginalized groups such as women and certain ethnicities. The new political parties' law needs time and support to be implemented. Many Afghans currently understand political parties as synonymous with warlordism. If new political elements do not develop, the current power base will likely win, thereby reinforcing current power constellations.

- *Postponing elections might lead to public disenchantment with the process*: Other participants argued that ordinary Afghans are expecting elections, and postponement will lead to further loss of trust in the current government. In addition, these participants emphasized that the upcoming election is merely one of many future elections, and the process is expected to improve over time.

- *Enhanced public information efforts needed on the electoral process*: A more robust public information campaign is needed to increase understanding of democracy and the electoral process, as well as to emphasize that the international community is here to support the peace process.

- *Role of different security forces during elections needs clarification*: The role of various security forces during preparation and holding of elections needs to be clarified to preclude corruption in the process.

- *Urgent financing of elections preparation needed*: Adequate financing of elections preparation is also urgent. Elections are scheduled for June 2004, but the financing shortfall in programs such as voter registration is nearly 80 percent as of October 2003. If the international community is really committed to having anything close to free and fair elections in Afghanistan, they need to immediately fund these programs.

Economy

Summary: Effective reconstruction of Afghanistan requires a more coherent economic plan and a change in the business environment. A poor business climate combined with governance problems has prevented foreign investment, even by those inclined to invest.

- *Devise an economic development plan*: A comprehensive plan for economic development must be developed. Some participants suggested that a Ministry of the Economy/Commerce is needed to guide and implement this process.

- *Focus on improving business environment*: Since investment is a key component to development, some participants suggested that the government must prioritize promotion of a favorable business climate. The focus should be on better infrastructure, intellectual property security, and controls on corruption and red tape. Moreover, the government should take steps to limit government control of the economy.

- *Better utilization of private sector, also as a means for attracting diaspora*: International organizations must make better use of the private sector as a development engine. This approach could also be used to attract great participation by the Afghan diaspora.

- *Monitor possible unequal development*: Some participants cautioned that bringing in international markets could create uneven development and distribution problems, and this situation would need to be monitored carefully.

- *Strengthen psychological reconstruction*: Others argued that psychological reconstruction should be strengthened through employment for people, addressing issues of income and standard of living, and stimulating the move to labor intensive economy.

Regional Interests and the International Community

Summary: Participants agreed on the need to keep the international community's attention focused on rebuilding Afghanistan, since much remains to be done.

- *Iraq detracting from Afghanistan?* Some participants expressed concern that Iraq has become the main concern in some capitals whose active involvement in crucial and that Afghanistan is in danger of falling off the radar. However, other participants suggested that not only are the two very different cases receiving different attention, but that in fact the US experience in Iraq has brought the attention back to Afghanistan.

- *Are Afghanistan's neighbors interested in a stable Afghanistan?* While a number of participants expressed concern about the influence of Afghanistan's neighboring countries, others suggested that a stable Afghanistan is in the interest of these neighbors. Yet others pointed out that this does not mean that these governments or elements within the countries are not doing things that have destabilizing effects.

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Security Council

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General Assembly
Fifty-eighth session
Agenda item 37
The situation in the Middle East

Security Council
Fifty-ninth year

Letter dated 5 April 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

The competent Lebanese authorities earlier notified the command of the United Nations Interim Force in Lebanon (UNIFIL) of the Israeli violations and acts of aggression against Lebanon at the time of their occurrence, as follows:

At 0535 hours on 12 March 2004, in the open sea off Ra's Naqurah, an Israeli military boat fired a number of rounds from medium-sized guns towards the water.

Between 0245 and 0300 hours on 14 March 2004, an Israeli military boat fired two flare bombs over the water.

Between 0720 and 1050 hours on 21 March 2004, an Israeli reconnaissance aircraft overflew the sea off Jubayl (Byblos) and then circled over Beirut and Damur, thus violating Lebanese airspace.

Between 1100 and 1305 hours on 21 March 2004, an Israeli reconnaissance aircraft overflew the sea at medium altitude off the Zahrani region and then circled over Sidon and Nabatiyah, thus violating Lebanese airspace.

Between 2030 and 0030 hours on 21 March 2004, an Israeli reconnaissance aircraft overflew the sea at medium altitude off Tyre and then circled over Beirut and Tyre, thus violating Lebanese airspace.

Between 1105 and 1235 hours on 22 March 2004, six Israeli military aircraft violated Lebanese airspace, four of them over Tripoli, where they circled over Tripoli itself and the Bekaa region, and two of them towards the south and the Khaldah region.

Between 1340 and 1430 hours on 22 March 2004, an Israeli reconnaissance aircraft overflew the Aytrun region, where it circled over the region of the south.

Between 1740 and 2100 hours on 22 March 2004, Israeli military aircraft carried out a raid over Kafr Shuba-Kafr Hammam- Shaba`-Rashayya and Habariyah, dropping 21 air-to-ground missiles, destroying the high-tension line between Kafr Shuba and Kafr Hammam.

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Between 1810 and 2100 hours on 22 March 2004, Israeli enemy forces positioned in the occupied Shaba` Farms fired 155-mm artillery shells towards the Shaba`-Kafr Shuba and Habariyah, shattering windows and causing cracks in some of the houses in Kafr Shuba.

Between 1850 and 2045 hours on 22 March 2004, Israeli military aircraft overflew the occupied Shaba` Farms, thus violating Lebanese airspace.

Between 1950 and 2000 hours on 22 March 2004, two Israeli military aircraft overflew Kafr Killa, thus violating Lebanese airspace.

Between 1950 and 2025 hours on 22 March 2004, two Israeli military aircraft overflew Kafr Killa, where they circled over the south.

Between 0600 and 0730 hours on 23 March 2004, an Israeli military aircraft overflew the occupied Shaba` Farms, thus violating Lebanese airspace.

Between 0915 and 0935 hours on 23 March 2004, Israeli military aircraft overflew the occupied Shaba` Farms, thus violating Lebanese airspace.

Between 1725 and 1815 hours on 23 March 2004, Israeli military aircraft overflew the villages surrounding Tyre, thus violating Lebanese airspace.

Between 1730 and 1900 hours on 23 March 2004, two Israeli helicopters overflew Lebanese territory towards Naqurah.

Between 1915 and 2115 hours on 23 March 2004, an Israeli reconnaissance aircraft overflew Hawla, Shaqra and the Saluqi valley, thus violating Lebanese airspace.

Between 2150 and 2220 hours on 23 March 2004, two Israeli helicopters fired four air-to-ground missiles on the Saluqi valley, killing two Palestinian citizens and injuring another.

Between 1855 and 2215 hours on 24 March 2004, an Israeli military aircraft overflew the sea off Tyre and then circled over Tyre and Beirut.

Between 1930 and 0145 hours on 26 March 2004, an Israeli reconnaissance aircraft overflew the sea off Tyre and then circled over Tyre and Beirut.

These grave violations are part of a continuous series of provocative Israeli violations of Lebanese airspace and territory in contravention of the principles of international law and the resolutions of international legitimacy, such that the Secretary-General of the United Nations has repeatedly called for their cessation.

In view of these violations and the stepping-up of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls upon the Security Council to deter Israel from such grave acts, which constitute a threat to international peace and security. Israel must assume full responsibility for the repercussions and consequences of these acts.

In drawing your attention to the gravity and possible consequences of such acts, I request to have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

United Nations A/ES-10/263–S/2004/279

General Assembly
Security Council

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7 April 2004

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-ninth year

Identical letters dated 7 April 2004 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The situation on the ground in the Occupied Palestinian Territory, including East Jerusalem, continues to deteriorate as Israel, the occupying Power, continues to commit war crimes, State terrorism and systematic human rights violations against the Palestinian people. In addition to its ongoing illegal policies and practices, the occupying Power continues to take measures and actions intended to further inflame and escalate the cycle of violence and completely undermine any efforts to calm the situation and bring about a return to negotiations between the two sides.

In this regard, following the extrajudicial killing two weeks ago of Sheikh Ahmed Yassin in Gaza City by helicopter missile fire, Israeli government and military officials have made repeated statements alluding to the potential for similar action to be taken against the elected President of the Palestinian Authority, President Yasser Arafat. Threats to assassinate the elected leader of the Palestinian people, who for more than two years now has been confined to his headquarters in Ramallah under Israeli siege, have even been made by the Israeli Prime Minister himself, who, it should be recalled, boasted about his personal involvement in overseeing the operation in which Sheikh Yassin was assassinated and vowed in the immediate aftermath that the illegal practice of extrajudicial executions against Palestinian leaders would continue. While similar threats against the safety and well-being of President Arafat have been made by the Israeli government, in the current context, such contemptuous statements and threats must be taken seriously when issued by a government that continues to act with flagrant impunity and blatant disregard for any norms or principles of international law, including international humanitarian law.

At the same time, as noted above, the Israeli occupying forces continue to kill and wound Palestinian civilians almost daily as the occupying Power continues to pursue its illegal policies and practices throughout the Occupied Palestinian

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Territory, including East Jerusalem. At least 23 Palestinians, including several children, have been killed by the occupying forces since our last letter to you. Indeed, the occupying forces continue to use excessive, indiscriminate and lethal force against the Palestinian civilian population, including against unarmed civilians demonstrating against the occupying Power. Today, at least 15 Palestinians were wounded by tear gas and rubber bullets fired upon them by the Israeli occupying forces as they protested peacefully against Israel's ongoing construction of the Wall in the Occupied Palestinian Territory and tried to prevent the demolition of a home and the uprooting of olive trees in the village of Biddu, northwest of Jerusalem. Severe restrictions on the freedom of movement of persons and goods also continue to be imposed by the occupying Power, with complete closures imposed on the Occupied Palestinian Territory during the recent Jewish holiday, gravely obstructing the provision of humanitarian assistance and severely exacerbating the socioeconomic hardships being faced by the Palestinian civilian population.

This letter is in follow-up to our previous 185 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 22 March 2004 (A/ES-10/262-S/2004/231), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, I regret to inform you that, since my last letter to you, at least 23 Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 2,881 Palestinians. (The names of the martyrs that have been identified are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Somaia **Barghouti**
Chargé d'affaires a.i.

Annex to the identical letters dated 7 April 2004 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Secretary-General

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Tuesday, 23 March 2004, to Wednesday, 7 April 2004)

Tuesday, 23 March 2004

1. Abdullah Hassan Al-Mugheer (18 years old)
2. Mohammed Ahmed Murshid Al-Qadi
3. Yasser Izzat Sultan Edwan

Wednesday, 24 March 2004

1. Ibrahim Khalil Ibrahim Al-Ghandoor
2. Humam Mohammed Abu Al-Omrain
3. Atef Mohammed Awaja (18 years old)

Friday, 26 March 2004

1. Zakaria Mohammed Mahmoud Abu Zur (18 years old)
2. Issaq Fayez Nassar (18 years old)
3. Ahmed Nasser Kamil Abed
4. Mahmoud Omar Al-Zaghari

Saturday, 27 March 2004

Khalid Maher Saleem Walweel (7 years old)

Sunday, 28 March 2004

Jamil Talab Odeh Atil

Wednesday, 31 March 2004

Mahmoud Khamis Abu Odeh

Friday, 2 April 2004

1. Nassar Issa Ibrahim Hajahjeh (16 years old)
2. Rami Khalil Mahmoud Irheim
3. Mohammed Azmi Abed (18 years old)

Saturday, 3 April 2004

Mohammed Shaheen

* The total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 is 2,881.

Sunday, 4 April 2004

Rami Mohammed Ismail Ihdeib (18 years old)

Monday, 5 April 2004

1. Adham Abdelqader Abu Hashim
2. Mohammed Salameh Abu Ruweida (18 years old)
3. Imad Adnan Irjoudi (18 years old)
4. Mohammed Ziyad Abu Samhadaneh

Wednesday, 7 April 2004

Ibrahim Khalid Mohammed Abu Sreis (17 years old)

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Security Council

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8 April 2004

Original: English

Note by the President of the Security Council

1. Pursuant to paragraph 4 (b) of the note by the President of the Security Council dated 30 October 1998 (S/1998/1016) and following consultations among the members of the Council, the members of the Council agreed to elect the chairman and vice-chairmen of the following sanctions committee for a period ending on 31 December 2004:

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Chairman:
Abdallah Baali (Algeria)

Vice-Chairmen:
Benin and the Philippines

2. The Bureau of the above-mentioned sanctions committee will be composed as above for the term ending on 31 December 2004.

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United Nations S/2004/281

Security Council

Distr.: General
8 April 2004

Original: English

Letter dated 2 April 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities (see annex), which was adopted by the Committee under the no-objection procedure on 2 April 2004 and is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Heraldo **Muñoz**
Chairman
Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

04-30371 (E) 160404

Annex

Report of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

I. Introduction

1. The purpose of the present report is to present a factual summary of the Committee's activities for the period from 1 January to 31 December 2003, in accordance with the transparency measures outlined by the President of the Security Council in his note of 29 March 1995 (S/1995/234). The last report of the Committee was submitted on 20 December 2002 (S/2002/1423).

II. Background information

2. Following consultations among the members of the Security Council, the Council, on 7 January 2003, agreed to elect the bureau of the Committee for 2003, which consisted of Ambassador Juan Gabriel Valdés (Chile) as Chairman, with the delegations of Guinea and Spain providing the two Vice-Chairmen (see S/2003/10). On 19 June 2003, Ambassador Heraldo Muñoz (Chile) was elected as the new Chairman of the Committee (see S/2003/660), following the departure of his predecessor.

3. On 17 January 2003 the Security Council unanimously adopted resolution 1455 (2003). By paragraph 1 of that resolution the Council decided to improve the implementation of the assets freeze, travel ban and arms embargo targeting Osama bin Laden, the Al-Qaida organization and the Taliban, as well as individuals and entities associated with them, as contained in the list maintained by the Committee pursuant to paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002).

4. In paragraph 6 of resolution 1455 (2003) the Security Council called upon all States to submit an updated report to the Committee, no later than 90 days from the adoption of the resolution, on all steps taken to implement the measures referred to above and all related investigations and enforcement actions, including a comprehensive summary of frozen assets of listed individuals and entities within the territories of Member States.

5. By paragraph 8 of the same resolution the Council requested the Secretary-General to reappoint five experts to monitor for a further period of 12 months the implementation of the sanctions measures and to follow up on relevant leads relating to any incomplete implementation of those measures. In paragraph 13 the Monitoring Group was requested to submit two written reports to the Committee, the first by 15 June 2003 and the second by 1 November 2003, and to brief the Committee when the Committee so requested.

6. In paragraph 9 of the resolution, the Security Council requested the Chairman of the Committee to report orally to the Council at least every 90 days on the overall work of the Committee and the Monitoring Group; and stipulated that the updates should include a summary of the progress in the submission by Member States of the implementation reports referred to in resolutions 1390 (2002) and 1455 (2003).

7. By paragraph 14 of the resolution the Council requested the Committee, through its Chairman, to provide the Council, by 1 August 2003 and by 15 December 2003, with detailed oral assessments of implementation by Member States of the measures referred to in paragraph 1 of the resolution based on reports by Member States submitted pursuant to resolutions 1390 (2002) and 1455 (2003) and all pertinent parts of reports submitted by Member States under resolution 1373 (2001), in addition to considering supplementary recommendations by the Monitoring Group, with a view to recommending further measures for the Council's consideration to improve the sanctions regime. By paragraph 15 of the resolution the Council, moreover, requested the Committee to submit, on the basis of the Chairman's oral assessments, a written assessment to the Council of the actions taken by States to implement the measures referred to in the resolution.

III. Summary of the activities of the Committee

8. The Al-Qaida and Taliban sanctions Committee was engaged in a very demanding programme of work in 2003. During the period covered by the present report, the Committee held 4 formal meetings and 36 informal consultations of the members at the expert level. The Committee actively discharged its responsibilities outlined in resolution 1455 (2003), in addition to those set out in resolutions 1267 (1999), 1333 (2000) and 1390 (2002). An account of the Committee's major activities in the specific areas of its competence follows.

The Committee adopts a new name

9. On 2 September 2003, the Committee agreed to revise its name in order to clarify its identity and mandate. A press release was issued on 4 September 2003, announcing that the Committee would from that date onwards be officially known as the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, or, in short, as the Al-Qaida and Taliban sanctions Committee.

The Committee's consolidated list

10. The Committee continued to update its consolidated list of individuals and entities affected by the sanctions measures, on the basis of relevant information provided by Member States and regional organizations. The list represents the Committee's key instrument for the implementation of its mandate and serves as the fundamental tool available to States in implementing the sanctions measures.

11. During the period from 1 January to 31 December 2003 the Committee decided to add the names of 70 individuals and 7 entities to its consolidated list. Following each update the Committee issued a press release and circulated a note verbale informing all Member States of the changes. The Committee moreover formally transmitted hard copies of the list to all Member States and relevant international organizations every three months, as requested in paragraph 4 of resolution 1455 (2003).

12. On 4 March 2003, the Committee issued a reformatted version of the consolidated list, which provides identifying information on designated individuals and entities in a more systematic manner than the previous version, which was valid until 3 March 2003. In addition to reclassifying information in a more consistent

way, the ordering and presentation of names of the individuals and entities on the list was also thoroughly reviewed and adjusted as necessary. An updated version of the list is accessible via the Internet, with explanatory information available in all six official languages of the United Nations.

13. On 10 April 2003, the Committee approved several amendments to the Al-Qaida section of the list of individuals and entities. The amendments were based on information provided by Member States in response to a request that the Committee sent out in September 2002 with a view to improving the list and rendering it a more effective tool in the implementation of the sanctions measures.

14. On 3 September 2003, the Committee furthermore approved numerous amendments to the Taliban section of the list, on the basis of the information provided to the Committee by a Member State, with a view to improving the quality of the list. In addition to adding new identifying information and updating the existing information on the individuals in the Taliban section of the list, nine names were deleted from the list as they had been identified as duplications of the names of other listed individuals.

Requests from Member States for additional information on individuals on the list

15. During the reporting period, the Committee received several communications from Member States requesting additional information on individuals on the consolidated list and seeking confirmation whether individuals identified in their respective countries were the same individuals as those whose names were included in the Committee's list. The Committee was in two cases able to reply to such queries, informing the States concerned that the individuals referred to in their communications had no connection to the individuals on the Committee's list. During the reporting period the Committee also assisted States seeking clarification regarding individuals and entities whose names are on the Committee's list by facilitating contacts with the original designating State. In responding to Member States' requests, the Committee emphasized that it would continue to seek additional information from States in a position to provide further details, and would also convey such information to the requesting State when and if such information became available.

Guidelines of the Committee for the conduct of its work

16. On 10 April 2003, the Committee adopted specific guidelines for considering additional information on listed individuals and entities submitted by States and/or regional organizations, which serve to inform Member States of the Committee's procedures for processing and considering such information. The Committee further decided to include, as an annex to its guidelines, the criteria used by the Monitoring Group in reviewing list-related information at the request of the Committee. The specific guidelines for considering additional information submitted by States and/or regional organizations and the Monitoring Group criteria were adopted to facilitate improvements to the Committee's list, thereby enabling Member States to better implement the travel ban, the freezing of assets and the arms embargo in connection with the listed individuals and entities. In a step intended to enhance effectiveness, the Committee decided to make its expanded guidelines available on the Internet.

Reports of Member States pursuant to paragraph 6 of resolution 1455 (2003)

17. Considering the emphasis given in resolution 1455 (2003) to assessing the implementation by Member States of the measures imposed by the Security Council, the Committee and the Monitoring Group worked intensely during the first months of the year to draw up and disseminate to all Member States transparent guidelines to assist them in preparing their reports. The guidance document agreed upon was communicated to Member States on 4 March 2003 and was made available on the Internet.

18. During the reporting period 90 Member States submitted their reports, as requested by the Security Council in paragraph 6 of resolution 1455 (2003), on steps taken to implement the measures referred to in the resolution. Some States also provided information on related investigations and enforcement actions, including comprehensive summaries of frozen assets of listed individuals and entities within their territories. While many helpful and high-quality reports were submitted, the overall response was disappointing as 101 Member States (53 per cent) had not submitted a report as at 31 December 2003.

19. The Committee explored possible reasons for non-reporting by States. In addition to the possible lack of political determination to submit such reports, other possible factors were also identified, such as (a) reporting fatigue; (b) lack of resources and technical capacity; and (c) coordination difficulties at the national level. Recognition of the possible presence of Al-Qaida or those associated with the network within its territory furthermore appears to be a stigma to some States. With a view to assisting the States concerned and to improving the current sanctions regime, the Committee sought to identify possible challenges and problems that States face. To this end, the Committee sent two requests or reminders to those States, in July and November 2003, to provide explanations for their non-reporting.

20. By paragraphs 14 and 15 of resolution 1455 (2003), the Security Council entrusted the Committee with the task of assessing implementation by Member States of the assets freeze, arms embargo and travel ban against listed individuals and entities associated with Al-Qaida and the Taliban. Although the Committee was seriously hindered in providing this assessment when less than half of the Member States reported, the Committee nevertheless did so through the briefing by the Chairman on 12 January 2004. The Committee furthermore remains determined to finalize the written assessment called for in the resolution.

Open briefing for interested Member States

21. With a view to publicizing the guidance document to assist Member States in preparing the reports referred to above, the Chairman, on 28 February 2003, convened a briefing open to all interested Member States in order to provide them with information on the actions that they would need to take in connection with resolution 1455 (2003). At the briefing the Chairman also described some of the differences between the reports called for by the Committee as compared to those called for by the Committee established pursuant to resolution 1373 (2001), otherwise known as the Counter-Terrorism Committee.

Exceptions under resolution 1452 (2002)

22. During the reporting period, the Committee received notifications from two States on behalf of individuals seeking exceptions to the sanctions measures in accordance with paragraph 1 (a) of resolution 1452 (2002). The limited number of requests received may be an indication that States either do not consider that it is necessary to approach the Committee on this issue or that they need more clarity on how to proceed.

23. The Committee had no objection to the first of the two exception notifications that it received during the reporting period. The Committee furthermore considered in detail the second notification submitted by a Member State on behalf of an entity within its territory for the release of funds frozen, pursuant to measures imposed by the Security Council, for the payment of taxes on the purchase of a building located in a neighbouring State and for the payment of legal fees incurred in the defence of the entity before the relevant tax authorities. The request from the entity had been forwarded to the authorities in the notifying State by an individual included on the Committee's list, in his capacity as the liquidator of the entity concerned. As the review of the case by the Committee and the Monitoring Group raised several questions regarding the implementation of resolution 1452 (2002), the notification remains under consideration by the Committee.

24. The Committee, during the reporting period, worked diligently to draft procedures that would help to standardize the processing and consideration of the exceptions envisioned in resolution 1452 (2002). While the procedures have not yet been approved, significant progress has been made. Additional work needs to be done, however, to harmonize the concept of exception notifications by States, as reflected in the resolution, with a possible response from the Committee, in the form of a decision. The adoption of the procedures will ensure that the provisions of resolution 1452 (2002), which constitute an important component of the Al-Qaida and Taliban sanctions regime, are applied in a transparent and effective way.

Coordination with the Counter-Terrorism Committee

25. In paragraph 3 of resolution 1455 (2003) the Security Council stressed the need for improved coordination and increased exchange of information between the Committee and the Counter-Terrorism Committee. Pursuant to that paragraph, efforts were made to increase cooperation between the two Committees. The Chairmen of the two Committees, together with the experts of the Monitoring Group and the Counter-Terrorism Committee, met in July 2003 and discussed how the two Committees could best cooperate in the pursuit of their distinct but complementary mandates, particularly with regard to the analysis of reports of Member States and in advising States on how to obtain technical assistance. In spite of the direct contacts between the two Chairmen, coordination between the two Committees, especially at the expert level, needs to be improved further.

26. Undoubtedly, there was some overlap between reports submitted to the Committee and the Counter-Terrorism Committee under resolutions 1373 (2001) and 1455 (2003) respectively. The guidance document communicated to Member States to assist them in preparing reports under resolution 1455 (2003), however, clearly stated that, if relevant information had already been submitted in previous reports to the Committee or to the Counter-Terrorism Committee under resolution 1373 (2001), precise references to, and relevant excerpts from, such reports should be

attached to their updated report. The guidance document further indicated that such information would be taken into account by the Committee in the context of the requirements of resolution 1455 (2003) and that information already submitted need not be duplicated in updated reports.

27. In order to provide clarification regarding the distinct roles of the two Committees, a press release that clearly sets out the respective mandates and goals of the Al-Qaida and Taliban sanctions Committee and the Counter-Terrorism Committee was issued on 28 July 2003 (SC/7827). On that occasion the Chairmen of the two Committees also held a joint briefing for the press. The press release clarified that, although the Committees shared the same objective of fighting terrorism, their activities were different but complementary. It explained that, whereas the Al-Qaida and Taliban Committee oversees the implementation by States of the sanctions imposed by the Security Council on Osama Bin Laden, members of Al-Qaida organization and the Taliban as well as individuals and entities associated with them and whose names are included in the consolidated list maintained by the Committee, the Counter-Terrorism Committee monitors the implementation of resolution 1373 (2001) by all States with a view to increasing their capabilities to fight terrorism.

Oral reports of the Chairman to the Security Council

28. By paragraph 9 of resolution 1455 (2003) the Chairman of the Committee was requested to report orally and in detail to the Security Council at least every 90 days on the overall work of the Committee and the Monitoring Group, and by paragraph 14 he was requested to provide the Council with two detailed oral assessments of implementation by Member States of the sanctions measures based on reports of Member States. The Chairman complied with those requests through his briefings to the Council at its informal consultations held on 15 April and 12 November 2003, and through his briefings to the Council at its open meetings held on 29 July 2003 (see S/PV.4798) and 12 January 2004 (see S/PV.4892).

IV. Monitoring Group

29. The Security Council, in paragraph 8 of resolution 1455 (2003), requested the Secretary-General, upon adoption of the resolution and acting in consultation with the Committee, to reappoint five experts, drawing, as much as possible and as appropriate, on the expertise of the members of the Monitoring Group established pursuant to paragraph 4 (a) of resolution 1363 (2001).

30. The Monitoring Group's programme of work included travel to selected countries and organizations, as well as participation in a number of meetings convened at government and international levels. The Monitoring Group undertook a number of trips to Africa, Asia, Europe, the Middle East and North America. Members of the Group also met with officials from the International Criminal Court in The Hague (6 April 2003) and participated in the plenary meeting of the Financial Action Task Force in Stockholm (1-3 October 2003) as well as a meeting on the Joint United Nations Inter-regional Crime and Justice Research Institute/Europol initiative against the illegal movement of weapons of mass destruction (20 and 21 November 2003).

31. On 8 July 2003, the Monitoring Group submitted its first report in accordance with paragraph 13 of resolution 1455 (2003) (S/2003/669 and Corr.1) in which it noted that, while there had been marked successes in the fight against the Al-Qaida network in the period covered, including the arrests of key leaders and the tightening of formal national banking structures, Al-Qaida retained strong appeal among Islamic extremist elements around the world. The Monitoring Group emphasized that Al-Qaida could be viewed as both an organization and an ideology, and that there existed a "third generation Al-Qaida" that perpetuated the ideology. The Monitoring Group also emphasized that the Committee's list included only a small subset of known Al-Qaida operatives and others associated with the Al-Qaida network and that the required minimum identification data associated with the names was often absent.

32. The Monitoring Group reported that, despite new initiatives to combat terrorist financing, such as "know your customer" regulations and "suspicious transaction reports", substantial funds were still available to Al-Qaida from the illicit drug trade, charities and deep-pocket donors. The Group noted that Al-Qaida was adapting to the tightening of international financial structures, especially by using alternate remittance systems such as hawala to transfer money. The Monitoring Group also reported that the Committee had not been informed of any instances of designated individuals being stopped or turned back at border crossings, and expressed concern that Al-Qaida members not on the Committee's list were able to move around freely.

33. The Committee discussed the Monitoring Group's first report at its 20th formal meeting, on 25 June 2003. The Committee agreed that the report provided useful information and insights, but was of the view that the Group's work needed to be taken a step further. A case-study approach was proposed for the preparation of the second report and, in addition, the Monitoring Group was, on 1 August 2003, augmented by three more consultants who were entrusted with the analysis of the reports submitted by Member States under paragraph 6 of resolution 1455 (2003).

34. The second report of the Monitoring Group pursuant to resolution 1455 (2003) was submitted on 2 December 2003 (S/2003/1070). In it, the Monitoring Group provided additional recommendations for the improvement of sanctions measures and an analysis of the 83 reports submitted by Member States by 30 October 2003.

35. The Monitoring Group again addressed the role that the Committee's list played in the implementation of sanctions measures. While the list had grown in numbers, the Monitoring Group found that it had not kept pace with the actions taken by States, or the increased intelligence and other information available to them on Al-Qaida, the Taliban and associated individuals and entities.

36. The Group also reported that Al-Qaida continued to use alternate remittance systems to transfer money. A new concern raised by the Group was that charities, even though they had been designated on the list, often proved difficult to shut down, owing to the sensitivity of government oversight of such organizations. The Monitoring Group also reported that States were reluctant to freeze tangible assets such as business or property.

37. Regarding the travel ban, the Monitoring Group again underlined that no State had reported an attempt by a listed individual to enter its territory and that the lack of sufficient identifiers on the list had prevented the inclusion of many names on

national stop lists. The Monitoring Group also expressed concern about the fact that the whereabouts of many individuals on the list were unknown.

38. The Monitoring Group noted the reluctance of States to provide it with information regarding the arms embargo, adding that some States knew of arms smuggling across their borders but had indicated difficulties in controlling the arms traffic. Additional concerns included the acquisition of man-portable air-defence systems by non-State actors and the continuing risk of Al-Qaida acquiring and using weapons of mass destruction.

39. The Committee initiated its consideration of the Monitoring Group's second report at its 21st formal meeting, on 11 November 2003. The Committee continued its consideration of the report at the informal meetings held on 17 and 20 November and 9, 12, 15 and 18 December 2003. The Committee agreed that the report was more substantive and analytical than the previous one. Some of the general concerns voiced by members of the Committee included the leaking of the report to the media prior to its consideration by the Committee, and the need to include substantive evidence to support claims made in the report regarding irregularities in implementation by some States.

40. The Committee found many of the recommendations in the Monitoring Group's report to be useful tools for improving current sanctions measures, which could be taken into account in subsequent Security Council decisions. In evaluating the recommendations, the Committee however expressed reluctance to support the Monitoring Group's recommendation to endow it with more investigative powers, although it was generally accepted that States should fully cooperate with the Monitoring Group.

41. A number of Member States not members of the Security Council expressed interest in presenting their views on the second report of the Monitoring Group. A press release was issued on 11 December 2003 inviting those States to submit written comments to the Committee. States were also invited to address the Committee at a meeting held on 15 December 2003, although some Committee members emphasized that the invitation should not set a precedent for the future work of the Al-Qaida and Taliban Committee or other sanctions committees. The representatives of Indonesia, Italy, Liechtenstein, Maldives and Switzerland attended the meeting and provided their observations and comments on the report. The Committee agreed to address the issues raised by the aforementioned Member States in due course and to inform them of its decision. Members of the Committee found the dialogue with Member States not members of the Committee to be useful for further improvement of the work of the Committee and the Monitoring Group.

V. Visits by the Chairman of the Committee to selected countries

42. The Chairman of the Committee undertook two trips to selected countries during the reporting period, pursuant to paragraph 11 of resolution 1455 (2003). The Chairman visited Afghanistan, Germany, Indonesia, Singapore and the United Arab Emirates from 10 to 23 October and from 1 to 8 December 2003 he visited Italy, Liechtenstein, Pakistan, Saudi Arabia and the European Union in Brussels. The Chairman was on the later trip accompanied by the Permanent Representative of Guinea, the Deputy Permanent Representative of the Russian Federation and the First Secretary of the Permanent Mission of Pakistan to the United Nations.

43. The above visits were undertaken to demonstrate to Member States in general and the selected countries in particular the importance that the Security Council places on the implementation of its counter-terrorist measures. The visits provided the Chairman with an opportunity to discuss some of the more pressing issues relating to the implementation of the sanctions regime with counterparts in the States visited. The visits also provided the authorities in those States with an opportunity to relate some of their successes and concerns in implementing the measures imposed by the Council.

44. The Chairman was assured by the authorities in the States visited that the consolidated list was widely distributed and that updates to the list were circulated to the appropriate bodies on a regular basis. The list was perceived as a key instrument in the fight against the Taliban and Al-Qaida. The extensive use of the list was stressed by several States in communicating a need for additional identifying information for the individuals and entities included on the list, so as to be able to enhance its enforcement. The same concern was echoed by the Chairman in encouraging States to provide the Committee with supplementary information when available. The Chairman moreover encouraged States to submit to the Committee the names of those individuals associated with Al-Qaida organization and the Taliban who had been detained, so as to further improve the quality of the Committee's list. The authorities in some of the countries visited, however, expressed concerns that submitting the names of such individuals to the Committee could possibly compromise ongoing investigations.

45. Several of the States visited stressed the importance of adhering to the rule of law and due process standards while implementing the sanctions measures. Some officials in the State institutions visited also questioned whether the designation of certain individuals would sustain scrutiny by national or regional courts. It was furthermore suggested that the criteria employed by the Committee in designating individuals and entities should be made more transparent.

46. Several of the State institutions visited also called for improvements in the dissemination of information related to the Committee's list. While the need for the Committee to ensure confidentiality was understood, it was at the same time suggested that the Committee notify the relevant national or regional bodies in advance of the intention to add names to the list. Concerns were raised that the delay between a publicly announced revision of the list and the processing of such revisions by States would otherwise give the target an opportunity to move or use the financial assets.

47. On a practical level it was suggested that focal points be nominated in all Member States to facilitate and reduce the time required to inform Member States of updates to the list, thereby improving the implementation of the measures imposed on the targeted individuals and entities. The Committee was also encouraged to explore the possibility of setting up encrypted links directly with the capitals of the Member States.

48. During his visits the Chairman was informed of improvements in monitoring by States of alternative remittance systems such as hawala. The improvements included the establishment of better reporting standards for hawaladars, the entrepreneurs who provide such financial services. The Chairman was moreover able to report to the Committee that his visits had triggered better coordination among the national authorities in the States visited.

49. The authorities in some of the countries visited requested the Committee to consider ways by which technical support could be provided to Member States in need of assistance to enable them to implement the measures in the relevant Security Council resolutions. The Chairman found that there was general agreement among both potential recipients and potential donor States with regard to the need for improvements in the provision of such assistance.

50. In some of the Member States visited, requests were conveyed to the Chairman that the Monitoring Group should operate with greater transparency, especially with regard to the issuance of its reports. It was suggested that the Monitoring Group should consult with the States referred to in its reports, prior to the issuance of the reports, in order to allow such States the opportunity to rectify possible factual errors, thereby preventing any inaccuracies from being reflected in the final report.

51. The authorities in several of the States visited sought a clear definition of non-financial assets and guidance on how Member States were to handle the confiscation of such assets. Some of the Member States visited furthermore saw a need for the Committee to also improve its guidelines for dealing with notifications for exceptions from the sanctions measures, so as to encourage the Member States at large to make use of the notification mechanism laid out in resolution 1452 (2002) whenever justified.

52. The Chairman provided detailed briefings to the Committee following each of his missions and the members were of the view that such visits helped the States visited to gain a better understanding of what the Committee was trying to achieve and how it was trying to do so. The members were also of the view that the visits provided an excellent opportunity for it to learn more about the actions States were taking to implement the sanctions measures, particularly those actions that might not be reflected in the reports of Member States.

VI. Future work of the Committee and issues pending

53. By paragraph 15 of resolution 1455 (2003), the Security Council requested the Committee to prepare and circulate a written assessment to the Security Council of actions taken by States to implement the sanctions measures imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002). In resolution 1455 (2003), however, the Council did not specify a time limit for the preparation of that report. As only 90 of the 191 Member States had provided the Committee with their implementation reports by the end of the reporting period, the Committee decided to postpone the submission of its written assessment to the Security Council in order to allow Member States that had not yet done so an additional opportunity to submit their reports to the Committee.

VII. Observations and conclusions

54. During the reporting period, the Committee continued its proactive approach towards discharging its mandate as outlined in Security Council resolution 1455 (2003) and other relevant resolutions. The numerous substantive meetings held at the level of both the Committee and the Security Council, as well as the variety of

issues considered at those meetings, demonstrates the Committee's intensive work in 2003.

55. The Committee was during the reporting period persistent in encouraging Member States to submit their reports pursuant to paragraph 6 of resolution 1455 (2003). The Committee also encouraged States that were not able to submit those reports to provide the Committee with justification as to why they were not in a position to do so. The Committee in this regard offered support to States in need of further clarification or assistance in preparing their reports.

56. The main task before the Committee in 2003 was the objective assessment and evaluation of implementation by States of the arms embargo, the travel ban and the assets freeze imposed by the Security Council on the individuals and entities on the Committee's consolidated list. The assessment of the reports of Member States was intended to enhance the Committee's understanding of the successes and challenges faced by Member States in implementing the measures set out in the relevant resolutions. The lack of State reporting, however, limited the Committee's ability to draw precise conclusions regarding how effective States were in their fight against terrorism and thus to accurately focus on specific areas in which the Committee should enhance its efforts by providing better support to Member States in their implementation of the sanctions measures.

57. Among the Committee's notable achievements in 2003 was the issuance of a reformatted version of the consolidated list and its approval of the names of 77 individuals and entities for addition to the list. Both the Al-Qaida and the Taliban sections of the list were moreover substantively improved as a result of amendments proposed by Member States. Despite these improvements, further upgrades of the quality of information on the list remains high on the Committee's agenda, in particular the inclusion of additional relevant identifying information on already listed individuals and entities as well as the extension of the list through the inclusion of the names of other individuals and entities associated with the Al-Qaida and Taliban networks.

58. Despite the unsatisfactory number of reports submitted by States to the Committee, the reports received did nevertheless provide some indication of trends in State compliance. Another important avenue available to the Committee was the direct monitoring, in situ, of State implementation. In this regard, the Committee benefited from the two reports submitted by the Monitoring Group (S/2003/669 and Corr.1 and S/2003/1070). The findings contained in those reports provided the Committee with an enhanced understanding of the issues within the Committee's purview and they also encouraged the Committee to seek further improvements of the measures imposed by the Security Council.

59. The Committee also gained improved insight and understanding of the implementation by States of the sanctions measures through the two visits that the Chairman of the Committee undertook to selected countries. As a result of those visits, the Chairman was able to convey useful information to both the Committee and the Security Council immediately upon his return. The high-ranking government officials in the countries visited who were involved in the implementation of counter-terrorist measures were at the same time provided with an opportunity to learn more about the work of the Committee and its priorities and were furthermore able to receive immediate clarifications on the issues they raised. The benefits of the

visits were recognized by both the members of the Committee and the authorities in the countries visited.

60. During the reporting period, the members of the Committee became increasingly aware that the work of the Committee would benefit from additional expert advice and information as well as more frequent contact with Member States. In order to further its decision-making capabilities, the Committee therefore requested the Monitoring Group and its experts to provide additional assistance to the Committee by making their expertise readily available and to advise the Committee whenever needed. Members of the Committee also called for more expert advice from the Monitoring Group to enable the Committee to respond promptly to requests from Member States and to monitor the implementation by States of the sanctions measures more effectively.

61. The Committee, during the reporting period, remained aware of the effect that the media have on its work. While the media did play a useful role in the dissemination of important information relevant to the work of the Committee, the press on occasion also reported on the work of the Committee in conjunction with issues well beyond or not related to the Committee's mandate. Members of the Committee furthermore expressed their disappointment that some of the findings of the Monitoring Group were reported in the media before they were considered by the Committee. The press conferences by the Chairman of the Committee, on occasion together with the Chairman of the Monitoring Group, proved to be an effective means of striking a balance between satisfying the interest of the media in the work of the Committee and the timely provision of factually correct information.

62. The feedback that the Committee received from Member States through their national implementation reports, the reports of the Monitoring Group and the Chairman's visits revealed that Member States take the threat of international terrorism very seriously. The task before the Committee nevertheless remains to evaluate whether States collectively are doing enough, in real terms, to neutralize the Al-Qaida network and the Taliban and to prevent the members and supporters of those organizations from launching terrorist attacks. The role of the United Nations, as well as specialized agencies and other international organizations, in providing a coordinating framework for States to enhance and harmonize their counter-terrorism efforts with an emphasis on preventive action therefore continues to be of utmost importance.

63. The role the Committee plays in the counter-terrorism strategy of the international community is clearly defined by the relevant Security Council resolutions. The list of individuals and entities related to or associated with Al-Qaida and the Taliban provides a legitimate tool for the Committee to seek information from States on the practical steps and preventive measures they have taken or intend to take to prevent terrorist acts from occurring within the territories under their control or elsewhere.

64. The Committee is well aware of the importance of cooperation with Member States and the need for the specific sanctions measures to be implemented with precision and accuracy against targeted individuals and entities in order to restrict their possibilities of using terrorism as a means of furthering their objectives. The Committee is further aware that its work is an integral part of a global fight against terrorism and is determined to contribute effectively towards that endeavour.

Appendix I

Guidance for reports required of all States pursuant to paragraphs 6 and 12 of resolution 1455 (2003)

The Taliban/Al-Qaida sanctions regime constitutes a key instrument in the fight against terrorism. Continued effective cooperation among States Members of the United Nations, the Committee established pursuant to resolution 1267 (1999) and the Monitoring Group is critical to improved implementation of the sanctions measures.

In paragraph 6 of resolution 1455 (2003), the Security Council called on all States to submit an updated report no later than 90 days from the adoption of the resolution (i.e. by 17 April 2003) on all steps taken to implement the measures under the Taliban/Al-Qaida sanctions regime. Those measures consist of the freezing of assets, travel restrictions, and an arms embargo — all of which are directed against individuals and entities included in the Committee's consolidated list.

Note: For key documents on the sanctions regime, including relevant resolutions, the consolidated list, and the reports of the Monitoring Group, please consult the Committee's web site: www.un.org/Docs/sc/committees/1267Template.htm.

The information provided in States' reports should be clear, precise and complete.

If relevant information has already been submitted in previous reports to the 1267 Committee or to the Counter-Terrorism Committee under resolution 1373 (2001), precise references to, and relevant excerpts from, such reports should be attached to the updated report; this information will be taken into account by the 1267 Committee in the context of the requirements of resolution 1455 (2003). Information already submitted need not be duplicated in updated reports.

Member States are strongly encouraged to structure their reports to provide information that responds to the guidelines and questions below, as the reports will constitute a principal component of the oral and written assessments that the Chairman of the 1267 Committee will deliver to the Security Council.

Unless any information contained in Member States' reports is clearly specified as confidential, the entire report will be considered a public document.

1. Introduction

1. Please provide a description of activities, if any, by Osama Bin Laden, Al-Qaida, the Taliban and their associates in your country, the threat they pose to the country and the region, as well as likely trends.

II. Consolidated list (to be circulated to Member States every three months)

www.un.org/Docs/sc/committees/1267/1267ListEng.htm

2. How has the 1267 Committee's list been incorporated within your legal system and your administrative structure, including financial supervision, police, immigration control, customs and consular authorities?

3. Have you encountered any problems with implementation with regard to the names and identifying information as currently included in the list? If so, please describe these problems.

4. Have your authorities identified inside your territory any designated individuals or entities? If so, please outline the actions that have been taken.

5. Please submit to the Committee, to the extent possible, the names of individuals or entities associated with Osama Bin Laden or members of the Taliban or Al-Qaida that have not been included in the list, unless to do so would compromise investigations or enforcement actions.

6. Have any listed individuals or entities brought a lawsuit or engaged in legal proceedings against your authorities for inclusion in the list? Please specify and elaborate, as appropriate.

7. Have you identified any of the listed individuals as nationals or residents of your country? Do your authorities have any relevant information about them not already included in the list? If so, please provide this information to the Committee as well as similar information on listed entities, as available.

8. According to your national legislation, if any, please describe any measures you have taken to prevent entities and individuals from recruiting or supporting Al-Qaida members in carrying out activities inside your country, and to prevent individuals from participating in Al-Qaida training camps established in your territory or in another country.

III. Financial and economic asset freeze

Under the sanctions regime (paragraph 4 (b) of resolution 1267 (1999) and paragraphs 1 and 2 (a) of resolution 1390 (2002)), States are to freeze without delay the funds and other financial assets or economic resources of the listed individuals and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, assets or resources are made available, directly or indirectly, for such persons' benefit, by their nationals or by any persons within their territory.

Note: For the purpose of implementation of the financial prohibitions in this sanctions regime, "economic resources" is defined to mean assets of every kind, whether tangible or intangible, movable or immovable.[a]

[a] From the International Convention for the Suppression of the Financing of Terrorism, 1999.

9. Please describe briefly:

- The domestic legal basis for implementing the asset freeze required by the resolutions above
- Any impediments under your domestic law in this context and steps taken to address them.

10. Please describe any structures or mechanisms in place within your Government to identify and investigate Osama bin Laden, Al-Qaida or Taliban-related financial networks, or those who provide support to them or individuals, groups, undertakings and entities associated with them within your jurisdiction. Please indicate, as appropriate, how your efforts are coordinated nationally, regionally and/or internationally.

11. Please convey the steps banks and/or other financial institutions are required to take to locate and identify assets attributable to, or for the benefit of, Osama bin Laden or members of Al-Qaida or the Taliban, or associated entities or individuals. Please describe any "due diligence" or "know your customer" requirements.[b] Please indicate how these requirements are enforced, including the names and activities of agencies responsible for oversight.

12. The Security Council in resolution 1455 (2003) called on Member States to provide "a comprehensive summary of frozen assets of listed individuals and entities". Please provide a list of the assets that have been frozen in accordance with that resolution. This list should also include assets frozen pursuant to resolutions 1267 (1999), 1333 (2000) and 1390 (2002). Please include, to the extent possible, in each listing the following information:

- Identification of the person or entities whose assets have been frozen
- A description of the nature of the assets frozen (i.e., bank deposits, securities, business assets, precious commodities, works of art, real estate property, and other assets)
- The value of assets frozen.

13. Please indicate whether you have released pursuant to resolution 1452 (2002) any funds, financial assets or economic assets that had previously been frozen as being related to Osama Bin Laden or members of Al-Qaida or the Taliban or associated individuals or entities. If so, please provide reasons, amounts unfrozen or released and dates.

14. Pursuant to resolutions 1455 (2003), 1390 (2002), 1333 (2000) and 1267 (1999), States are to ensure that no funds, financial assets or economic resources are made available, directly or indirectly, to listed individuals or entities or for their benefit, by nationals or by any persons within their territory. Please indicate the domestic legal basis, including a brief description of laws, regulations and/or procedures in place in your country, for controlling the movements of such funds or assets to designated individuals and entities. This section should include a description of:

[b] For details see the third report of the Monitoring Group, of 17 December 2002 (S/2002/1338), section V, paras. 27-29.

- The methodology, if any, used to inform banks and other financial institutions of the restrictions placed upon individuals or entities listed by the Committee, or who have otherwise been identified as members or associates of Al-Qaida or the Taliban. This section should include an indication of the types of institutions informed and the methods used.
- Required bank-reporting procedures, if any, including the use of suspicious transaction reports, and how such reports are reviewed and evaluated.
- Requirements, if any, placed on financial institutions other than banks to provide suspicious transaction reports, and how such reports are reviewed and evaluated.
- Restrictions or regulations, if any, placed on the movement of precious commodities such as gold, diamonds and other related items.
- Restrictions or regulations, if any, applicable to alternate remittance systems such as or similar to hawala, as well as on charities, cultural and other non-profit organizations engaged in the collection and disbursement of funds for social or charitable purposes.

IV. Travel ban

Under the sanctions regime, all States shall take measures to prevent the entry into or transit through their territories of listed individuals (paragraph 1 of resolution 1455 (2003), paragraph 2 (b) of resolution 1390 (2002)).

15. Please provide an outline of the legislative and/or administrative measures, if any, taken to implement the travel ban.

16. Have you included the names of the listed individuals in your national "stop list" or border checkpoint list? Please briefly outline steps taken and any problems encountered.

17. How often do you transmit the updated list to your border control authorities? Do you possess the capability of searching list data using electronic means at all your entry points?

18. Have you stopped any of the listed individuals at any of your border points or while transiting your territory? If so, please provide additional information, as appropriate.

19. Please provide an outline of the measures, if any, taken to incorporate the list in the reference database of your consular offices. Have your visa-issuing authorities identified any visa applicant whose name appears on the list?

V. Arms embargo

Under the sanctions regime, all States are requested to prevent the direct or indirect supply, sale and transfer, to Osama bin Laden, members of Al-Qaida organization and the Taliban and other individuals and entities associated with them, from their territories or by their nationals outside their territories, of arms and related materiel of all types, including the provision of spare parts and technical

advice, assistance, or training related to military activities (paragraph 2 (c) of resolution 1390 (2002) and paragraph 1 of resolution 1455 (2003)).

20. What measures, if any, do you now have in place to prevent the acquisition of conventional arms and weapons of mass destruction by Osama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them? What kind of export control do you have in place to prevent the above targets from obtaining the items and technology necessary for weapons development and production?

21. What measures, if any, have you adopted to criminalize the violation of the arms embargo directed at Osama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them?

22. Please describe how your arms/arms broker licensing system, if any, can prevent Osama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them from obtaining items under the established arms embargo.

23. Do you have any safeguards to ensure that the weapons and ammunition produced within your country will not be diverted/used by Osama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them?

VI. Assistance and conclusion

24. Would your State be willing or able to provide assistance to other States to help them implement the measures contained in the above-mentioned resolutions? If so, please provide additional details or proposals.

25. Please identify areas, if any, of any incomplete implementation of the Taliban/Al-Qaida sanctions regime, and where you believe specific assistance or capacity-building would improve your ability to implement the sanctions regime.

26. Please include any additional information you believe pertinent.

Appendix II

Table 1
Individuals added to the Al-Qaida and Taliban sanctions Committee's list in 2003

Number	*Name*	*Date*
1	Nabil Abdul Salam Sayadi	22 January 2003
2	Patricia Rosa Vinck	22 January 2003
3	Mohamad Iqbal Abdurrahman	28 January 2003
4	Nurjaman Riduan Isamuddin	28 January 2003
5	Gulbuddin Hekmatyar	20 February 2003
6	Abdelghani Mzoudi	10 June 2003
7	Youssef Abdaoui	25 June 2003
8	Mohamed Amine Akli	25 June 2003
9	Mehrez Amdouni	25 June 2003
10	Chiheb Ben Mohamed Ayari	25 June 2003
11	Mondher Baazaoui	25 June 2003
12	Lionel Dumont	25 June 2003
13	Moussa Ben Amor Essaadi	25 June 2003
14	Rachid Fettar	25 June 2003
15	Brahim Ben Hedili Hamami	25 June 2003
16	Khalil Jarraya	25 June 2003
17	Mounir Ben Habib Jarraya	25 June 2003
18	Faouzi Jendoubi	25 June 2003
19	Fethi Ben Rebai Mnasri	25 June 2003
20	Ahmed Hosni Rarrbo	25 June 2003
21	Najib Ouaz	25 June 2003
22	Nedal Saleh	25 June 2003
23	Zelimkhan Ahmedovich Yandarbiev	25 June 2003
24	Shamil Basayev	12 August 2003
25	Fathur Rohman Al-Ghozhi	9 September 2003
26	Agus Dwikarna	9 September 2003
27	Huda Bin Abdul Haq	9 September 2003
28	Azahari Husin	9 September 2003
29	Salim Y Salamuddin Julkipli	9 September 2003
30	Abdul Manaf Kasmuri	9 September 2003
31	Amran Mansor	9 September 2003
32	Zulkifli Marzuki	9 September 2003
33	Nordin Mohd. Top	9 September 2003
34	Aris Munandar	9 September 2003
35	Abdul Hakim Murad	9 September 2003
36	Imam Samudra	9 September 2003

Number	*Name*	*Date*
37	Parlindungan Siregar	9 September 2003
38	Yazid Sufaat	9 September 2003
39	Yassin Sywal	9 September 2003
40	Wan Min Wan Mat	9 September 2003
41	Mukhlis Yunos	9 September 2003
42	Zaini Zakaria	9 September 2003
43	Mohamad Nasir Abas	9 September 2003
44	Zulkifli Abdul Hir	9 September 2003
45	Shadi Mohamed Mustafa Abdalla	23 September 2003
46	Aschraf Al-Dagma	23 September 2003
47	Ahmad Fadil Nazal Al-Khalayleh	23 September 2003
48	Mohamed Abu Dhess	23 September 2003
49	Djamel Moustfa	23 September 2003
50	Ismail Abdallah Sbaitan Shalabi	23 September 2003
51	Dawood Ibrahim	3 November 2003
52	Mokhtar Belmokhtar	11 November 2003
53	Nasri Ait El Hadi Mustapha	11 November 2003
54	Faraj Farj Hassan Al Saadi	12 November 2003
55	Cherif Said Ben Abdelhakim	12 November 2003
56	Zarkaoui Imed Ben Mekki	12 November 2003
57	Hamraoui Kamel Benn Mouldi	12 November 2003
58	Maxamed Cabdullaah Ciise	12 November 2003
59	Radi Abd El Samie Abou El Yazid El Ayashi	12 November 2003
60	Bouyahia Hamadi	12 November 2003
61	Mohammad Tahir Hammid	12 November 2003
62	Rihani Lofti	12 November 2003
63	Daki Mohammed	12 November 2003
64	Mohamed Amin Mostafa	12 November 2003
65	Saadi Nassim	12 November 2003
66	Drissi Noureddine	12 November 2003
67	Lazher Ben Khalifa Ben Ahmed Rouine	12 November 2003
68	Mourad Trabelsi	12 November 2003
69	Saifi Ammari	4 December 2003
70	Safet Durguti	26 December 2003

Source: Security Council Subsidiary Organs Branch, Department of Political Affairs.

Table 2
Entities added to the Al-Qaida and Taliban sanctions Committee's list in 2003

Number	*Name*	*Date*
1	Lashkar i Jhangvi (LJ)	3 February 2003
2	Lajnat Al Daawa Al Islamiya (LDI)	20 February 2003
3	Ansar al-Islam	24 February 2003
4	Special Purpose Islamic Regiment (SPIR)	4 March 2003
5	Riyadus-Salikhin Reconnaissance and Sabotage Battalion of Chechen Martyrs (RSRSBCM)	4 March 2003
6	Islamic International Brigade (IIB)	4 March 2003
7	Djamat Houmat Daawa Salafia (DHDS)	11 November 2003

Source: Security Council Subsidiary Organs Branch, Department of Political Affairs.

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General Assembly
Fifty-eighth session
Agenda items 73, 108 and 156

General and complete disarmament

Crime prevention and criminal justice

Measures to eliminate international terrorism

Security Council
Fifty-ninth year

Letter dated 2 April 2004 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the communiqué of five Central Asian States adopted by the participants of the United Nations Regional Meeting on Small Arms and Light Weapons in Central Asia, held in Almaty, Kazakhstan, from 16 to 18 March 2004 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 73, 108 and 156, and of the Security Council.

(*Signed*) Yerzhan Kh. **Kazykhanov**

04-30393 (E) 120404

Annex to the letter dated 2 April 2004 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

Communiqué of five Central Asian States adopted during the United Nations Regional Meeting on Small Arms and Light Weapons in Central Asia

16-18 March 2004
Almaty, Republic of Kazakhstan

The United Nations Regional Meeting on Small Arms and Light Weapons in Central Asia was held in Almaty from 16 to 18 March 2004. The Meeting was hosted by the Government of the Republic of Kazakhstan, sponsored by the Government of Japan and organized by the Department for Disarmament Affairs of the Secretariat through the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific.

Delegations from the countries of the Central Asian and Asia-Pacific region, heads of diplomatic missions accredited to the Republic of Kazakhstan, and representatives of international and non-governmental organizations attended the Meeting.

The Meeting heard presentations by representatives of the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan, the Republic of Uzbekistan, experts from Afghanistan, the Republic of Indonesia, and Japan, the United Nations Development Programme, the Organization for Security and Cooperation in Europe, the United Nations Assistance Mission in Afghanistan, the United Nations Office on Drugs and Crime, the Department for Disarmament Affairs and the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, the Australian Member Committee of the Council for Security Cooperation in Asia and the Pacific, the International Crisis Group, and International Alert.

During the three days of sessions of the Meeting, a meaningful exchange of views took place on strengthening regional cooperation aimed at the prevention of the illicit trade in small arms and light weapons. Having discussed possible ways of enhancing coordination among law enforcement agencies and other relevant agencies of the Central Asian States, the participants in the Meeting noted the need to intensify their cooperation. In particular, an understanding was reached concerning the adoption of joint actions including:

(a) Investigations to identify and close smuggling channels and to eradicate all other forms of illegal export/import of these weapons from/to Central Asia;

(b) Take preventive measures to preclude theft and loss of small arms and ammunition from depots, arsenals, restricted areas and other arms storage facilities;

(c) Develop international and regional cooperation between law enforcement agencies and other relevant agencies of the Central Asian States to monitor transitional flows of illicit small arms and light weapons;

(d) Investigate and suppress crimes related to the illicit trade of arms, such as terrorism, drug trafficking, and organized crime;

(e) Establish a mechanism for regular exchanges of relevant information, which may include illicit brokering of small arms in the region;

(f) Foster cooperation with the United Nations with a view to implementing the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

The participants of the Regional Meeting have confirmed the leading role of the United Nations in the implementation of a comprehensive solution to the problem of small arms and light weapons and supported the coordinating role of the United Nations in this area, first and foremost in dealing with the problem of illicit trade in small arms and light weapons.

The representatives of the Central Asian States and the participants of the Meeting came to the conclusion that the Regional Meeting on Illicit Trade in Small Arms and Light Weapons, held in Almaty, Kazakhstan, from 16 to 18 March 2004, made an important contribution to the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, 9-20 July 2001).

The participants of the Regional Meeting have expressed their deep appreciation to the Government of the Republic of Kazakhstan for the excellent arrangement of the Meeting as well as the hospitality rendered to the participants.

Almaty
18 March 2004

United Nations S/2004/283

Security Council

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8 April 2004

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Letter dated 6 April 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the parliamentary elections in Guinea-Bissau issued on 2 April 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-30470 (E) 130404

Annex to the letter dated 6 April 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the parliamentary elections in Guinea-Bissau issued on 2 April 2004 by the Presidency on behalf of the European Union

On the occasion of the parliamentary elections which took place in Guinea-Bissau on 28 and 30 March, the European Union wishes to emphasize the importance of the completion of the electoral process in that country, which is a fundamental stage in the process of transition towards the normalization of the country's democratic and constitutional institutions. The European Union, in reference to the international observers' communiqué issued in the evening of 30 March, welcomes the calmness and public-spiritedness which characterized the electoral process. Logistical problems, which even forced a delay in opening a number of polling stations, in particular in Bissau, were overcome and no significant act of violence was recorded. The elections were fair, free and transparent. The European Union congratulates the people of Guinea-Bissau on the high turnout in the recent election in that country. The European Union urges all parties concerned to accept and comply with the outcome of the electoral process. The European Union reaffirms its willingness to help Guinea-Bissau in the process of normalization of its economic and social situation and also reaffirms its commitment to helping the country in its efforts to consolidate its institutions.

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Security Council

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13 April 2004

Original: English

Letter dated 13 April 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

On 12 January 2004, the Committee established pursuant to paragraph 6 of Security Council resolution 1373 (2001) (the Counter-Terrorism Committee) submitted a work programme for the tenth 90-day period (S/2004/32). Annexed hereto is the Committee's work programme for the eleventh 90-day period, which covers the months from April to June 2004 (see annex).

The Committee will continue to work with States on monitoring the implementation of resolution 1373 (2001), continuing to operate on the principles of cooperation, transparency and equal treatment. The Committee's main objectives will continue to be maintaining and strengthening the consensus within the international community on the importance of combating terrorism, with particular emphasis on establishing practical measures designed to increase the capabilities of States to combat terrorism; helping to identify and address the problems faced by States in implementing resolution 1373 (2001); and encouraging international coordination and cooperation by, for instance, contributing to the process of increasing the number of States that are parties to the international conventions and protocols relating to counter-terrorism. All of these tasks contribute to the Committee's mandate, as set out in paragraph 6 of the resolution, to monitor its implementation.

On the other hand, the eleventh work programme takes into account the fact that, during the three-month period, the Committee will go through a transitional period during which it will begin, in cooperation with the United Nations Secretariat, to implement the provisions of Security Council resolution 1535 (2004) and the recommendations contained in the Committee's report (S/2004/124) to enable the Counter-Terrorism Committee Executive Directorate to become operational as soon as possible.

In order to attain those general goals, the Committee will continue its work in the areas of technical assistance and cooperation with international organizations in accordance with the decisions adopted by the Committee.

The Committee welcomes the support received from Member States, the United Nations Secretariat and international, regional and subregional organizations, and pays tribute to the contribution of its team of experts.

04-30828 (E) 140404

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

Annex

Work programme of the Counter-Terrorism Committee (1 April-30 June 2004)

1. The present document sets out the work programme of the Counter-Terrorism Committee for its eleventh 90-day period, from 1 April to 30 June 2004. This work programme updates that submitted for the tenth 90-day period (S/2004/32). This work programme will have to be adapted according to the implementation of Security Council resolution 1535 (2004).

Summary

2. The Committee will:

(a) By 30 April:

(i) Continue to circulate the States assistance matrix on a monthly basis, to identify assistance needs and offers;

(ii) Prepare the basis for a new assistance matrix, which includes the programmes by international, regional and subregional organizations;

(iii) The Chairman will have made a briefing to interested delegations about the Committee's work, focusing on a review of States' efforts to become parties to and implement the 12 universal conventions and protocols relating to terrorism;

(iv) The Chairman will send to the Security Council the list of States which are late in submission of their reports;

(v) Complete the review of 25 further reports;

(vi) Begin preparation of country assessments of assistance needs that can be shared with interested donor States and organizations, with the prior approval of the country concerned;

(b) By 31 May:

Complete the review of 25 further reports;

(c) By 30 June:

(i) Consider and endorse the organizational plan for the Counter-Terrorism Committee Executive Directorate, submitted by the Executive Director through the Secretary-General, as provided in paragraph 4 of resolution 1535 (2004);

(ii) Complete the review of 15 further reports.

I. Implementation of resolution 1373 (2001)

3. The Committee and its subcommittees will continue to review the reports submitted by States pursuant to paragraph 6 of resolution 1373 (2001).

4. By 31 March 2004 the Committee had received 488 reports from States and others. They include first reports from 191 Member States and 5 from others, 159 second reports from Member States and 2 from others, 107 third reports from

Member States and 24 fourth reports from Member States. As indicated earlier, all States have submitted their first reports.

5. Nevertheless, it should also be noted that 70 States have missed the deadlines for submission of their respective reports. The Committee urges all States that have not submitted their reports on time to submit them as soon as possible in fulfilment of the provisions of resolution 1373 (2001). The Committee remains ready to work with them to find a way to progress towards the common objective of combating terrorism in the terms established by resolution 1373 (2001). The Chairman of the Committee will continue to provide the Security Council with the list of States late in the submission of their reports. The list will be released to the Security Council at the time of the Chairman's report to the Security Council; it includes the States (if any) that have contacted the Committee and those that have asked for assistance.

6. In accordance with resolution 1456 (2003), the Committee will continue to report regularly on progress made by States regarding their obligation to report to the Security Council pursuant to paragraph 6 of resolution 1373 (2001).

7. Bearing in mind the call for all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism contained in paragraph 3 (d) of Security Council resolution 1373 (2001) and paragraph 2 (a) of the declaration annexed to Security Council resolution 1456 (2003), the Committee will remain committed to ensuring that the largest possible number of States become parties to the 12 pertinent international conventions and protocols and incorporate that important body of international law into their domestic legislation.

II. Work of the Committee

8. On 19 February 2004 the Committee approved a report on its own revitalization (S/2004/124), and as proposed in paragraph 18 of that report resolution 1535 (2004) was adopted.

9. The Committee has also agreed that it should strengthen and integrate its efforts in the facilitation of technical assistance and reinforcing the coordination and cooperation with international, regional and subregional organizations as stated in its reports (S/2004/70 and S/2004/124). During this work programme the Committee will undertake a thorough re-evaluation of its work in those areas, consistent with the report of the Chair of 14 November (S/2004/70) and the revitalization report (S/2004/124). In order that technical assistance becomes a priority in all areas of the Committee's work, and in preparation for the assumption of this function by the Counter-Terrorism Committee Executive Directorate, the Technical Assistance Team will be fully integrated with the larger group of experts, and additional experts in technical assistance will have to be recruited.

10. While pursuing a case-by-case approach in monitoring the implementation of resolution 1373 (2001), the Committee will bear in mind all international best practices, codes and standards that are relevant to the implementation of the resolution.

III. Technical assistance

11. The facilitation of the provision of technical assistance to countries in need will remain one of the Committee's priorities. The report of the Chair of 14 November is clear about the need to study and develop the means necessary to

ensure that technical assistance receives the appropriate attention from the Committee and the Security Council. In order for the Committee to play a more dynamic role in the area of technical assistance, its current approach in this area needs to be re-evaluated and improved.

12. The Committee has developed the Directory of Counter-Terrorism Information and Sources of Assistance, which can be consulted on its web site, at http://www.un.org/Docs/sc/committees/1373/ctc_da/index.html. The Directory is designed to be a source of information on counter-terrorism-related best practices, model laws and available assistance programmes. The Committee encourages all States seeking assistance or guidance in the matters covered by resolution 1373 (2001) to use this online information tool.

13. The Committee and its experts are ready, wherever possible, to facilitate the provision of assistance programmes to States in order to further the implementation of resolution 1373 (2001).

IV. Transparency in the work of the Committee

14. Transparency will continue to be a hallmark of the work of the Committee.

15. The Committee will continue to provide information on its activities on a regular basis, including briefings of interested delegations by the Chairman. The next briefing will be held before the end of April. As a general rule, the Chair will brief interested delegations at least once a month.

16. The Committee has an informative web site (http://www.un.org/sc/ctc) that has become an essential source of information on all aspects of the implementation of resolution 1373 (2001). In follow-up to paragraph 15 of the ninth work programme (S/2003/995), and after several months of work, the web site is fully operational in all United Nations languages.

17. The Committee, through its Chairman, the Executive Director, once appointed, and, where appropriate, the Committee's experts will continue to maintain close relations with organizations and programmes of the United Nations system on aspects relevant to international counter-terrorism efforts, within the scope of the mandate contained in resolution 1373 (2001).

18. States are encouraged to make direct contact with the subcommittees or experts to seek any clarification on the issues covered in their correspondence with the Committee or on any other issue (tel.: 1-212-963-3520 or 1-212-457-1886; fax: 1-212-963-7878; e-mail: ctc@un.org).

19. The Committee has updated its web site as a source of detailed information on all issues related to resolution 1373 (2001). The Committee will create and maintain a matrix of technical assistance programmes by international, regional and subregional organizations. Pursuant to the Joint Declaration adopted in Vienna on 12 March 2004, after the third meeting of the Committee with those organizations, the Committee encourages all relevant organizations to contact it on a regular basis to ensure that the information provided in the new matrix is both accurate and useful for Member States seeking technical assistance. The Committee also encourages organizations to continue to submit information on international best practices, codes and standards relevant to the implementation of resolution 1373 (2001) and on

any modes of assistance and guidance in implementing those best practices, codes and standards.

V. Cooperation between the Committee and international, regional and subregional organizations

20. The Committee has continued to expand its contacts and cooperation with international, regional and subregional organizations as outlined in the action plan agreed following the special meeting of the Committee held on 6 March 2003. Further to paragraph 22 of the tenth work programme and to strengthen the Committee's cooperation with those organizations, the follow-up meeting between the Committee and international, regional and subregional organizations, co-hosted by the Organization for Security and Cooperation in Europe and the United Nations Office on Drugs and Crime, was held at Vienna on 11 and 12 March 2004. At the end of the meeting a Joint Declaration was issued by all participants, which will be sent to the Security Council for circulation as a document.

21. The Committee, through its Chairman, the Executive Director, once appointed, and, where appropriate, the Committee's experts will continue to establish contacts with organizations outside the United Nations system by attending regional meetings and conferences.

VI. Future work of the Committee

22. The Committee, including through the Chair, will work closely with the Executive Director of the Counter-Terrorism Committee Executive Directorate, once appointed, in order to contribute to his/her success in the implementation of the provisions of resolution 1535 (2004) and the recommendations in the Committee's report (S/2004/124).

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Original: English

Letter dated 13 April 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey the attached communication, dated 11 April 2004, from the Director General of the International Atomic Energy Agency (see annex).

I should be grateful if the present letter and its annex could be brought to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-30875 (E) 140404

Annex

Letter dated 11 April 2004 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

In accordance with paragraph 16 of resolution 1051 (1996), the Director General of the International Atomic Energy Agency (IAEA) is requested to submit consolidated progress reports every six months to the Security Council, commencing 11 April 1996,* on the Agency's verification activities in Iraq pursuant to paragraphs 12 and 13 of Council resolution 687 (1991) and other related resolutions.

Since 17 March 2003, IAEA has not been in a position to implement its mandate in Iraq under Security Council resolution 687 (1991) and related resolutions. It is the Agency's understanding that the obligations of the Agency pursuant to those resolutions remain valid unless and until the Security Council decides otherwise. More specifically, the requirements of the IAEA's ongoing monitoring and verification plan approved by the Council in resolution 715 (1991) should remain in place, including the obligation of Iraq to declare semi-annually changes that have occurred or are foreseen at sites deemed relevant by the Agency and about items listed in annex 3 to that plan (see S/2001/561). Those items are to be notified to the Agency when imported to or exported from Iraq, by Iraq and by the exporting/importing Member States, in accordance with the export-import mechanism approved in Security Council resolution 1051 (1996). The Agency has received no such declaration or notification since it withdrew from Iraq a year ago.

During the period covered by this report, IAEA has continued to focus its activities on consolidating and further analysing information collected and activities implemented since 1991, with the objective of identifying lessons learned and deciding whether and to what extent the Agency's plan for resuming verification activities needs to be adapted in the light of those lessons and the changing situation in Iraq. The information obtained with respect to Iraq during the reporting period has been derived principally from open sources and commercial satellite imagery of locations of interest to the Agency for potential future verification in Iraq.

The Agency is concerned about the implications of the results of its review of satellite imagery, especially with respect to sites known to the Agency to have

* The previous consolidated reports of the Director General of the International Atomic Energy Agency were circulated as documents S/1996/261 of 11 April 1996, S/1996/833 of 7 October 1996, S/1997/297 of 11 April 1997, S/1997/778 of 8 October 1997, S/1998/312 of 9 April 1998, S/1998/927 of 7 October 1998, S/1999/393 of 7 April 1999, S/1999/1035 of 7 October 1999, S/2000/300 of 11 April 2000, S/2000/983 of 11 October 2000, S/2001/337 of 6 April 2001, S/2001/945 of 5 October 2001, S/2002/367 of 16 April 2002, S/2002/1150 of 16 October 2002, S/2003/422 of 14 April 2003 and S/2003/993 of 14 October 2003. Document S/1998/694, dated 27 July 1998, contained the text of an interim status report provided in response to the Security Council presidential statement dated 14 May 1998 (S/PRST/1998/11). Document S/1999/127, dated 9 February 1999, contained the text of an interim status report provided in response to the note by the President of the Security Council dated 30 January 1999 (S/1999/100). Following the resumption of the Security Council-mandated activities of IAEA in Iraq in November 2002, the Council requested several updates. IAEA provided those updates in the form of a report (S/2003/95, dated 27 January 2003) and oral statements to the Security Council by the Director General (on 19 December 2002, 9 and 27 January 2003, 14 February 2003 and 7 March 2003). Finally, the work programme of the International Atomic Energy Agency in Iraq pursuant to Security Council resolution 1284 (1999) was provided to the Security Council on 20 March 2003 (S/2003/342).

contained items subject to monitoring under the ongoing monitoring and verification plan. The imagery shows that there has been extensive removal of equipment and, in some instances, removal of entire buildings. Other information available to the Agency, confirmed through visits to other countries, indicates that large quantities of scrap, some of it contaminated, have been transferred out of Iraq, from sites monitored by IAEA. It is not clear whether the removal of those items has been the result of looting activities in the aftermath of the recent war in Iraq, or as part of systematic efforts to rehabilitate some of the locations. In any event, these activities may have a significant impact on the Agency's continuity of knowledge of Iraq's remaining nuclear-related capabilities and raise a concern with regard to the proliferation risk associated with dual-use material and equipment disappearing to unknown destinations. The United States Government has been informed of these observations, and clarifications are expected.

The International Atomic Energy Agency remains ready, subject to Security Council guidance, to resume its Security Council-mandated verification activities in Iraq. In the meantime, Member States are expected, pursuant to paragraph 10 of resolution 1441 (2002) and other relevant Council resolutions, to provide any information relevant to prohibited programmes in Iraq or aspects of the IAEA mandate, with a view to enabling the Agency to fulfil its responsibilities under those resolutions and under the Treaty on the Non-Proliferation of Nuclear Weapons. The Agency therefore expects that all findings by any Member States that could be of relevance to Iraq's nuclear activities or potential capabilities, particularly in the context of the activities of the Iraq Survey Group, will be shared with the Agency in the near term.

I should be grateful if you would arrange for this letter to be distributed as a document of the Security Council.

(*Signed*) Mohamed ElBaradei